

Patent  
Attorney's Docket No. 032751-073

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5/K.T.  
4/25

In re Patent Application of )

Rainer BISCHOFF et al. )

Application No.: 10/021,421 )

Filed: December 19, 2001 )

For: LIPID COMPOUNDS AND )  
COMPOSITIONS CONTAINING )  
THEM WHICH CAN BE USED FOR )  
THE TRANSFER OF AT LEAST ONE )  
ACTIVE SUBSTANCE, IN )  
PARTICULAR A POLYNUCLEOTIDE, )  
INTO A TARGET CELL AND USE )  
IN GENE THERAPY )

) Group Art Unit: 1632

) Examiner: R. Schnizer

) Confirmation No.: 3280

) VIA HAND-CARRY TO EXAMINER

) Group Art Unit: 1632

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SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination on the merits, please amend the above-identified application as follows:

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Rainer BISCHOFF et al. ) Group Art Unit: 1632  
Application No.: 10/021,421 ) Examiner: R. Schnizer  
Filed: December 19, 2001 ) Confirmation No.: 3280  
For: LIPID COMPOUNDS AND ) **VIA HAND-CARRY TO EXAMINER**  
COMPOSITIONS CONTAINING THEM ) Group Art Unit: 1632  
WHICH CAN BE USED FOR THE )  
TRANSFER OF AT LEAST ONE )  
ACTIVE SUBSTANCE, IN )  
PARTICULAR, INTO A TARGET CELL )  
AND USE IN GENE THERAPY )

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**SECOND PRELIMINARY AMENDMENT TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a Second Preliminary Amendment for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☒ A Terminal Disclaimer and Statement Under 37 C.F.R. § 3.73(b), along with the ☐ \$55.00 (2814) ☒ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are \_\_\_\_\_.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted \_\_, on \_\_, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least \_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

Second Preliminary Amendment Transmittal Letter

Application Serial No. 10/021,421

Attorney's Docket No. 032751-073

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☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	15	MINUS 20 =	-0-	× \$18.00 (1202) =	-0-
Independent Claims	7	MINUS 7 =	-0-	× \$84.00 (1201) =	-0-
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
<b>TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT</b>					<b>-0-</b>

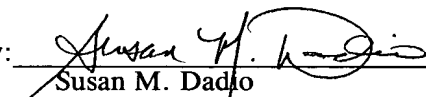
☐ A claim fee in the amount of \$\_\_\_\_\_ is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
 Susan M. Dadio  
 Registration No. 40,373

P.O. Box 1404  
 Alexandria, Virginia 22313-1404  
 (703) 836-6620

Date: April 16, 2003

(02/03)